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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

In the Matter of the Suspension)	Administrative Action
or Revocation of the License of)	
JAMES OLIVER, D.D.S.)	
License No. 9170)	ORDER MODIFYING
)	FINAL ORDER
)	OF DISCIPLINE
Licensed to Practice Dentistry)	
in the State of New Jersey)	
_____)	

This matter was opened to the New Jersey Board of Dentistry ("Board") by Wilentz, Goldman & Spitzer, (Gordon Golum, Esq.), counsel for respondent James Oliver, D.D.S., seeking relief from the Final Order Discipline entered by the Board on May 3, 1999.* Respondent sought a stay of the order imposing a six month

*Respondent's suspension was to commence May 15, 1999. Respondent sought to have the Board entertain his application for reconsideration prior to the suspension's commencement. The Board voted to delay the starting date of the suspension until its June 2, 1999 meeting, thus providing time for additional submissions by counsel for respondent and allowing additional time for respondent to wind down his practice in the event respondent's application for reconsideration was denied.

suspension as well as reconsideration of the decision arguing that the length of the suspension was unduly harsh. In support of his request, respondent offered information related to continuing education courses he has taken or signed up to take, and cited to the Board's offer of settlement in August 1998 where the active period of suspension was ninety days. Respondent cited to prior Board decisions in other matters where active suspensions were ended upon compliance with terms of the orders imposing suspension. Finally, respondent renewed his request to appear personally before the Board with counsel.

At its meeting on June 2, 1999, the Board considered the materials submitted by respondent as well as the underlying conduct that precipitated the provisional and final orders. It appears that respondent is currently making an attempt to comply with the continuing education requirements contained in the Letter of Voluntary Assurance entered in November 1996 as well as other continuing education credits. That belated compliance, however, is insufficient to cause the Board to overlook the failure of respondent to comply with that Letter of Voluntary Assurance in the first instance, as well as respondent's failure to maintain a current license and to comply with other Board requests as detailed in the final order.

Notwithstanding the respondent's failure to present sufficient evidence to warrant reconsideration of the Board's Final Order, the Board has determined that it will modify the Order to reflect that the period of active suspension will remain active until respondent

has complied fully with the terms of the Final Order, including completion of all continuing education requirements, payment of penalties and costs, and payment of fees for licensure, notwithstanding that that period may be shorter than six months.

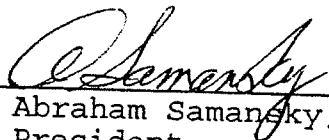
THEREFORE, IT IS ON THIS 8 DAY OF June, 1999

ORDERED:

1. The period of active suspension imposed by the Board in its Final Order of Discipline entered on May 3, 1999, shall remain in effect until respondent demonstrates compliance with all terms of that Order. The remaining portion of the two year period of suspension shall be stayed.

New Jersey Board of Dentistry

By:



Abraham Samansky, D.D.S.
President